

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION**

JACQUARD MERRITT,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:06-cv-1105-MEF
)	
)	
CITY OF MONTGOMERY, et al.,)	
)	
Defendants.)	

**DEFENDANTS' RESPONSE TO PLAINTIFF'S REPLY TO COURT ORDER TO SHOW
CAUSE WHY THE COURT HAS JURISDICTION OF THIS CASE**

COME NOW Defendants, City of Montgomery, Chief Arthur Baylor, Major Henry Davis and Corporal T. D. James (collectively as "City Defendants"), pursuant to this Court's Order of January 16, 2007, and as Response to Plaintiff's Reply Brief filed February 9, 2007, adopt and incorporate their response submitted January 26, 2007 regarding the Court's jurisdiction over this matter.

Respectfully submitted this the 16th day of February, 2007.

/s/Kimberly O. Fehl
Kimberly O Fehl (FEH001)

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CERTIFICATE OF SERVICE

I hereby certify that foregoing *Defendants' Response to Plaintiff's Reply to Court Order to Show Cause Why the Court Has Jurisdiction of This Case* has been served upon the following by electronic filing/notification of the United States District Court Middle District of Alabama on the 16th day of February, 2007 properly addressed to all as follows:

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/s/Kimberly O. Fehl
Of Counsel